

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

BAXTER BAILEY & ASSOCIATES,
INC., as assignee of Open
Road Transportation, Inc.,

Plaintiff,

v.

C TRANSPORT, LLC,

Defendant.

No. 22-cv-2477-SHM-cgc

ORDER DENYING MOTION TO DISMISS AS MOOT

On September 29, 2022, then-Defendant API Industries filed a Motion to Dismiss for Failure to State a Claim. (ECF No. 19.) On November 11, 2022, Plaintiff Baxter Bailey & Associates filed a Stipulation of Dismissal of all claims against API Industries. (ECF No. 23.) The Court recognized the stipulation and dismissed all claims against API Industries without prejudice. (ECF No. 24.) Because API Industries has been dismissed from the case, its Motion to Dismiss is **DENIED** as moot.

So ordered this 27th day of February, 2023.

/s/ *Samuel H. Mays, Jr.*

SAMUEL H. MAYS, JR.

UNITED STATES DISTRICT JUDGE